

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CHANDREA T. AGNEW,

Plaintiff,

-v.-

Civil Action No.
5:11-cv-198 (GLS/ATB)

DIANNE RANDALL, *et al.*,

Defendants.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

CHANDREA T. AGNEW
Plaintiff *Pro Se*
135 Fenway Drive
Syracuse, New York 13224

GARY L. SHARPE,
DISTRICT COURT JUDGE

ORDER

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge Andrew T. Baxter, duly filed February 28, 2011. Following ten days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections¹ having been filed, and the court having reviewed the

¹The court served a copy of the Order and Report-Recommendation upon the plaintiff by regular and certified mail. *See* Dkt. No. 5. The copy of the Order and Report-Recommendation by

Magistrate Judge's Report-Recommendation for clear error, it is hereby

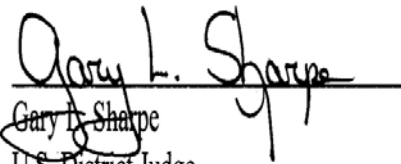
ORDERED, that the Report-Recommendation of Magistrate Judge Andrew T. Baxter filed February 28, 2011 is ACCEPTED in its entirety for the reasons state therein, and it is further

ORDERED that plaintiff's motion to proceed in forma pauperis (Dkt. No. 3) is DENIED, and the complaint is DISMISSED IN ITS ENTIRETY WITHOUT PREJUDICE, sua sponte, pursuant to 28 U.S.C. 1915(e)(2)(B)(i)-(ii), and it is further

ORDERED, that the Clerk of the Court is directed to serve a copy of this order upon the plaintiff by regular and certified mail.

IT IS SO ORDERED

Dated: March 28, 2011
Albany, New York



Gary L. Sharpe
U.S. District Judge

certified mail was returned as refused. *See* Dkt. Nos. 6-8. However, the copy of the Order and Report-Recommendation by regular mail has not been returned.